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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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| IN RE APPLICATION OF | ) |
| RICHARD R. ROESLER ET AL | ) ART UNIT: 1712 |
| SERIAL NUMBER: 10/690,931 | ) EXAMINER: M. Moore |
| FILED: October 22, 2003 | ) |
| TITLE: POLYETHER URETHANES CONTAINING ONE REACTIVE SILANE GROUP AND THEIR USE IN MOISTURE-CURABLE POLYETHER URETHANES | ) |

## TERMINAL DISCLAIMER

Petitioner, Bayer MaterialScience LLC is the owner of 100 percent interest in the instant application. The assignment from the inventors or chain of title from the inventors, of the application identified above was recorded in the Patent and Trademark Office at Reel 014978, Frame 0797. Petitioner hereby disclaims except as provided below the terminal part of the statutory term of any patent granted on the application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on ☒ Application Serial No. 10/690,954 or ☐ U.S. Patent No. _____, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent be the same as the legal title to the above referenced application or patent, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of the above-listed application in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer filed prior to the grant of the patent.

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The undersigned has reviewed all the evidentiary documents accompanying or referred to in the instant Terminal Disclaimer and it is certified to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signed at Pittsburgh, Pennsylvania, this 15th day of December, 2004.

Submitted by,

Gary F. Matz
Patent Agent
Reg. No. 45,504

☒ I authorize you to charge the amount of
☐ $55.00 (small entity)
☒ $110.00 (large entity) to Deposit Account Number 13-3848.

s:\shared\jm\GFM7292b



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